UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1994/64
3 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Item 14 of the provisional agenda

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DATE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Note from the International Labour Office

ILO activity to combat racial discrimination in southern Africa

South Africa

1. The Commission will be aware of the long efforts of ILO in combating apartheid and assisting its victims. Now that the struggle has moved into a different phase, ILO is providing any assistance it can to enable South Africa to make a transition to full democracy in the best possible conditions.

2. The following information concentrates on the period since the Commission's 1993 session.

3. The 29th Special Report of the Director-General on the Application of the Declaration concerning action against Apartheid was submitted to the International Labour Conference at its 80th session (June 1993). This report, copies of which are attached, examined (1) recent developments in labour and social matters in South Africa; (2) information supplied by Governments and by employers' and workers' organizations on action against apartheid; and (3) international action against apartheid.

4. This report was examined by a special committee established for this purpose during the June 1993 Conference session. That committee adopted conclusions which, inter alia, asked the Director-General of ILO to submit a plan of action to the ILO Governing Body for assistance in the transition. It also asked the Governing Body to consider the suspension of the application of the above-mentioned Declaration under certain conditions.

5. In August 1993 the Director-General dispatched a mission to South Africa to examine the country's needs in relation to the kinds of assistance ILO could offer. This was supplemented by a further mission which examined the ILO contribution to the United Nations/Commonwealth Donors' Conference on human resources development, a subject of considerable interest to ILO. The results of these two missions were submitted to the Governing Body at its November 1993 session. The Governing Body decided to suspend the application of the Declaration with immediate effect in order to allow the implementation of the plan of action which it adopted. Copies of the relevant reports have been communicated to the Centre for Human Rights.

6. A delegation from the tripartite National Manpower Commission of South Africa was present in Geneva during the November 1993 session of the Governing Body, and during that time held detailed discussions with the Office on possible technical assistance. The Assistant Director-General with responsibility for ILO activities in Africa visited the country in January 1994 to discuss further the question of ILO assistance, and discussions are continuing to define the country's needs and priorities.

7. In December 1993 the Director-General received a request from the Minister of Manpower of South Africa for ILO technical assistance in some fields, and at the time this submission is being written further such requests are expected to arrive in the near future. It may be possible to supply further information to the Commission on this during its session.

8. ILO has also received, through the Secretary-General of the United Nations, a report which the South African Government has indicated is intended to reply to the conclusions of the Fact-Finding and Conciliation Commission on Freedom of Association, which visited the country in early 1992. Information concerning further action on this report is being submitted to the Committee on Freedom of Association of the ILO Governing Body at the March 1994 session of the Governing Body, and the Commission will be kept informed of further developments in this connection. In application of the recommendations of the Fact-Finding and Conciliation Commission's report, ILO has conducted or taken part in various training and consultative efforts in the country with the intention of assisting in the review of legislation and policies, and this is expected to be followed up in the near future.

9. The question of the review of the Declaration concerning action against Apartheid will be on the agenda of the 81st (1994) session of the International Labour Conference, together with the Director-General's 30th report on this subject.

Namibia

10. Discussions are under way for the beginning of a project of ILO assistance to this country for the development of a policy on affirmative action to overcome the effects of past racial discrimination, and the possible adoption of legislation on the subject.